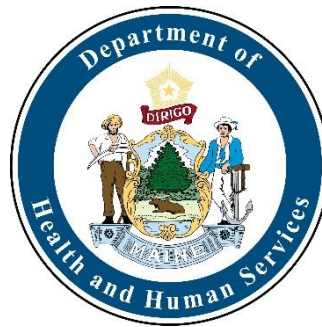


MaineCare in Education

School Health-Related Services
Stakeholder Engagement
January 2022



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WELCOME AND INTRODUCTIONS

Agenda

- Background
 - MaineCare 101
 - Rate Study Process
 - How MaineCare is Accessed in Schools
 - MaineCare Funding Routes
- A New Rule for School Health-Related Services
 - Key Benefits of a New Rule
 - Timeline
 - Anticipated Changes to Covered Services
 - Rate Development for New Rule
 - Limits on MaineCare Flexibility
- Member Scenarios
- Stakeholder Feedback

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BACKGROUND/ HOW MAINECARE SERVICES ARE CURRENTLY ACCESSED IN SCHOOLS

MaineCare 101

- MaineCare is Maine’s Medicaid program. Medicaid is a joint state-federal program to pay for *medically necessary covered services* delivered by *enrolled healthcare providers* to individuals (*members*) enrolled to receive coverage.
- MaineCare services are paid through a combination of *state and federal funds*. The initial “*state share*” comes from the state, and the “*federal match*” provides the remainder of the funding. Because of the federal funds involved, there are strict federal requirements under the Social Security Act governing the covered services and use of funds.
 - For school health-related services where the state share is funded by School Administrative Units (SAUs) and Child Development Services (CDS) through DOE, in Maine this state share is often referred to as “seed.”
- The MaineCare Benefit Manual (MBM), each Section of which has been formally adopted under the Maine Administrative Procure Act, details covered services, reimbursement rates and processes, and other MaineCare requirements.

Rate Study Process

MaineCare is engaged in a reform of its Rate System to ensure the development and maintenance of MaineCare payment models and rates that are consistent with efficiency, economy and quality of care in order to support MaineCare member access to services, in compliance with the United States Social Security Act, Section 1902(a)(30)(A).

This reform applies to all MaineCare services, including services delivered in schools. MaineCare will be conducting rate studies to establish rates where no appropriate benchmark rates exist.

A rate study consists of the following steps:

- Public notice
- Review of data, including provider costs and national best practices
- Development of proposed rates
- Public presentation of draft rates for public comment
- Response to comments and incorporation of feedback, as appropriate

How MaineCare is Accessed In Schools

There are two ways in which MaineCare services are currently accessed in Maine schools:

1. Individuals with Disabilities Education Act (IDEA) Services
2. Non-IDEA services
 - School-Based Health Centers
 - Providers Utilizing School Spaces



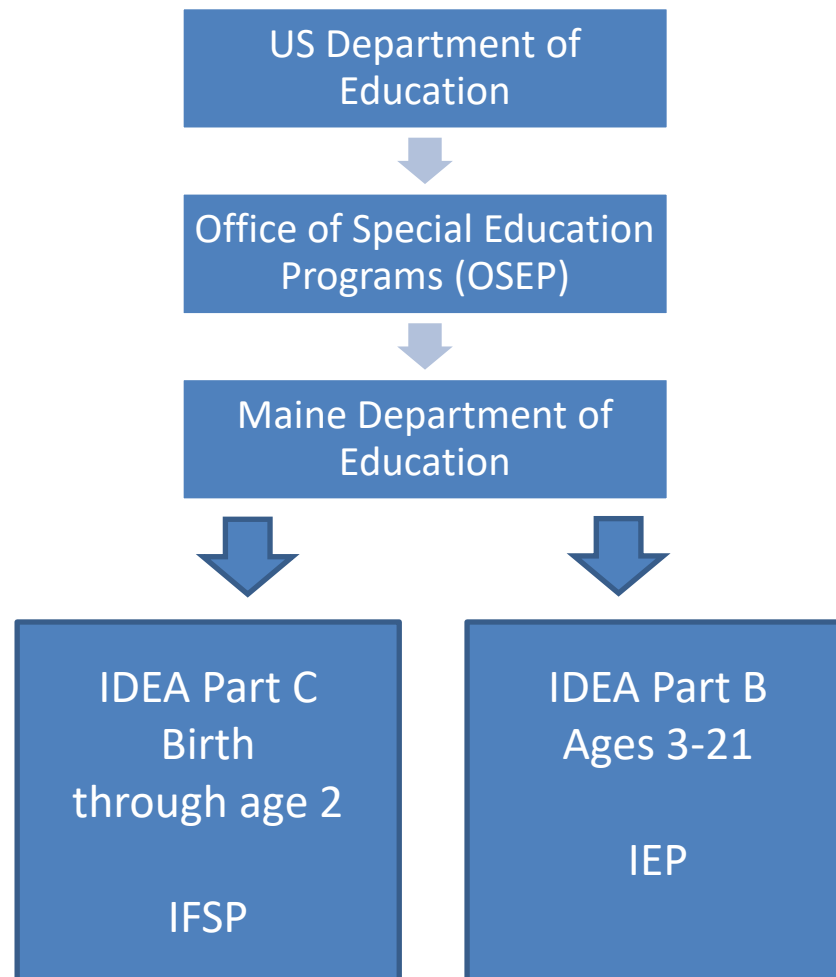
Individuals with Disabilities Education Act (IDEA) Services

IDEA Services are the health-related services required through IDEA listed on a student's Individualized Education Program (IEP). Any service that is necessary for the student member to access their education must be listed on the IEP.

For Early Intervention Services under Part C of IDEA, the necessary services must be listed on the Individual Family Service Plan (IFSP).



IDEA in Maine – Part B & Part C

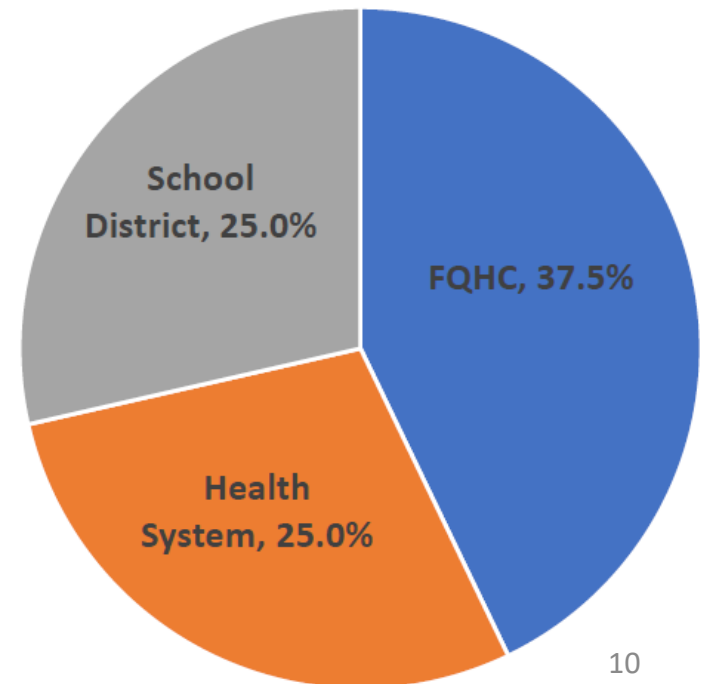


School-Based Health Centers

There are currently three main provider types of School-Based Health Centers that fall under different sections of MaineCare Policy, with different requirements and reimbursement:

- School Administrative Units (SAUs) that operate School Health Centers directly. These SAUs currently have the option of enrolling and billing under MaineCare Benefits Manual Section 3, Ambulatory Care Clinic Services. Services may include preventive, diagnostic and/or therapeutic services for acute, episodic, and chronic conditions, and basic laboratory services.
- Federally Qualified Health Centers (FQHC) that contract with SAUs to deliver services.
- Health System/ Hospital-based Primary Care Practices that contract with SAUs to deliver services.

SAUs are not responsible for the State's share (the "seed") of the total cost of these services, so long as they are not being provided pursuant to IDEA.



Providers Utilizing School Spaces for non-IDEA Services

Some MaineCare providers have permission to utilize space in a school to provide medical services to students. Services are generally not required through IDEA and are billed through the appropriate section of policy.

For example, a physical therapist may see a student in a school building after school, because a member's primary care physician has provided a referral for the service. The member does not have an IEP.

Reimbursement for this service would be billed through Section 85 (Physical Therapy Services).



MaineCare in Schools – Funding Routes

Funding and billing are different for IDEA and non-IDEA Services:

1. IDEA Services

- Service must be listed on the IEP
- SAUs and CDS provide Seed for state share

2. Non-IDEA services

- Medical need for the service per Provider – IEP not involved
- MaineCare pays for state share.



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A NEW RULE FOR SCHOOL HEALTH SERVICES

A New Rule For School Health Services

MaineCare's new rule is intended to:

- Strengthen access to MaineCare-covered services for children in Maine schools.
- Clarify what services are covered.
- Specify how providers and schools must demonstrate covered services are medically necessary. For IDEA services, this must include documentation that the service is necessary for the child's education.
- Develop and adjust reimbursement based on the results of planned rate studies.

The new rule will be a stand-alone Section of the MaineCare Benefit Manual.

Public law 2021, ch. 227, passed under the 130th legislature, states that a new rule adopted to address health-related services that are required for children ages 0-5 to access their education must be a major substantive rule, meaning that it will be provisionally adopted then submitted to the legislature for review.

A New School Health-Related Services Policy

What a new policy will do:

- Allow schools to provide most services to any eligible MaineCare member, regardless of whether they have an IEP.
- Allow service delivery for students up until their 22nd birthday.
- Create one section of policy in the MaineCare Benefits Manual for most School Health-Related Services.
- Move Section 3, Ambulatory Care Clinics into the new policy. This is where SAUs that operate School Health Centers currently enroll to receive MaineCare reimbursement.



A New School Health-Related Services Policy

What the new policy will do:

- Allow members to access behavioral health services in public or private school, day treatment, and preschool settings.
- Increase MaineCare member access to health-related services in a school setting **in addition** to services required by IDEA.
- Provide coverage for services (e.g. Behavior Supports, Social Work, Board Certified Behavior Analyst (BCBA) services, etc.) to increase access to varying levels of care and intervention.
- Ensure SAUs, CDS and providers clearly identify services required through IDEA when billing MaineCare.
- Set data-driven and equitable reimbursement rates for services.

Provider and Policy Clarifications

The new policy will include detailed guidance for providers including:

- Clarification of IEP requirement for IDEA services
- Clarification that services provided in a school setting are not counted towards utilization limit for Katie Beckett program
- Reiteration that both Interpreter and Telehealth services may be utilized when appropriate.



Anticipated Timing of New Proposed Rule

Rulemaking and Rate Study Activities		
2022	Winter	Engage with stakeholders
	Spring	Finalize rule development Kick off rate studies
	Fall	Finalize rates/rate models
2022/ 2023	Winter	Propose Major Substantive Rule/ Public Hearing
2023	Spring	Submit Provisionally Adopted Rule for Legislative Review
	Spring	Legislative Review Completion
	Summer	File Final Adopted Rule with Secretary of State; rule becomes Effective 30 days after filing

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CHANGES TO COVERED SERVICES

Non-IDEA Services will be billable for all eligible MaineCare members*



- Adaptive Behavior Assessments
- Behavior Supports
- Crisis Services
- Developmental Screenings
- Medical Evaluations
- Neuropsychological and Psych Testing
- Occupational Therapy Services
- Physical Therapy Services
- Behavioral Health Services
- Speech and Hearing Services

***For Members with IEPs, all services deemed necessary by a member's IEP team to access their education must be documented on the IEP, and providers must reflect this in MaineCare billing.**

Current IDEA Services that will be included in a new School Health-Related Policy Section

Current Covered Services

Occupational Therapy Services (Section 68)

Physical Therapy Services (Section 85)

Private Duty Nursing Services (Section 96)

Specialized Transportation (Section 113)

Speech and Hearing Services, including Audiology (Section 109)

Neuropsychological and Psych Testing (Section 65)

- **Expansion of eligibility to allow members to receive all IDEA school health-related services up until their 22nd birthday.**

New IDEA Covered Services

Anticipated New Services

Adaptive Behavior Assessments

Behavior Supports

Behavioral Health Services including

- Assessments
- Crisis Assistance
- Family, Group, and Individual Counseling



Board Certified Behavior Analyst (BCBA) Services

Comprehensive and Focused Applied Behavior Analysis

Behavior Supports is a new service that will allow a member to receive individual or group support from a Behavioral Health Professional (BHP) in any school setting.

Rate development for new School Health rule

- MaineCare will be conducting rate studies of services currently covered in Sections 28 and 65 during calendar year 2022. MaineCare will also incorporate rate development for the additional behavioral health services that will be covered under the new policy.
- MaineCare will align rates for the same services across sections of policy where possible and appropriate. This includes rates for Speech and Hearing, OT, and PT, for which MaineCare is in the process of standardizing reimbursement at 72.4% of current year Medicare.

Limits on MaineCare Flexibility

Regulatory Requirement/ Barrier	Explanation
Health-related services required through IDEA must be aligned with a student's IEP to be eligible for reimbursement. Providers must reflect this in MaineCare billing.	<p>This is federal law pursuant to Social Security Act 1903(c).</p> <p>If a member needs additional medically necessary services that are not necessary to access their education/ not on their IEP, those may be accessed as non-IDEA services.</p>
MaineCare cannot fund childcare.*	Childcare is not a medical service reimbursable through Medicaid.

*Adding Behavioral Supports as a non-IDEA covered service may help address the challenge of covering the cost of the member's time in the school setting outside of their educational program, as it would provide medically necessary support outside of the regular school day, unrelated to the child's IEP.

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MEMBER SCENARIOS

Member Scenarios

Child #1: Omar

- Omar is currently receiving speech, occupational therapy (OT), and physical therapy (PT) services. Speech and OT are listed on Omar's IEP.
- Speech and OT services, as directed through the IEP, will be reimbursed in accordance with this new section of policy, with the use of modifiers on claims to allow OMS to appropriately identify IDEA services.
- If Omar needs additional therapy services that are not required for his education, Omar can also receive these non-IDEA services from a provider at school or an outside provider.

Member Scenarios

Child #2: Maya

- Maya's IEP lists speech, OT, PT, and Behavior Supports Services at six (6) hours per day.
- If Maya needs additional therapy services beyond the six hours listed on her IEP, she can also receive those from an enrolled school provider billed as non-IDEA, or outside of school.
- If Maya has a need documented on her IEP for 2:1 staffing to maintain safety, the additional staff would be covered via Behavioral Supports as an IDEA service.

Member Scenarios

Child #3: Roberto

- Roberto has a 504 plan. He does not qualify for an IEP.
- Roberto can access a variety of medically necessary, non-IDEA services covered through MaineCare that align with his 504 plan through an enrolled provider at his school, or outside of school from another enrolled provider.

Member Scenarios

Child #4: Eliza

- Eliza's IEP lists speech, OT, PT, and Behavioral Supports at three (3) hours per day.
- If Eliza needs additional therapy services beyond the three hours listed on her IEP, she can also receive those services provided by an enrolled school provider, billed as non-IDEA, or outside of school.
- If Eliza needs additional medical or behavioral health services to support stability in her attending a childcare program run by a MaineCare-enrolled school, Eliza could potentially access the Behavior Supports services billed as non-IDEA services.

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STAKEHOLDER FEEDBACK

Stakeholder Feedback

Input that would be particularly helpful:

- Are there ways that we talk about school health related services and requirements that are confusing? How can we be more clear?
- Any specific thoughts on age 0-3 population?
- Do FQHCs and other MaineCare primary care providers operating in schools have needs that could be addressed under this policy, or separately?
- What policies would help support SAUs and providers to bill MaineCare for these services?

Next Steps: Stakeholder Sessions

- January 13 3-4:30 pm
- January 25 6-7:30 pm
- January 26 3-4:30 pm

Email address for comments: MaineCareinEducation.DHHS@maine.gov

MaineCare Resources

Web page links for:

[MaineCare Benefits Manual](#)

[MaineCare in Education](#)

- To sign up for e-messages and view additional School Health-related posted resources including this presentation and recorded stakeholder sessions

[MaineCare in Education 2021 School Health-Related Services Billing Guide](#)

Email address for comments on stakeholder presentations:

MaineCareinEducation.DHHS@maine.gov